



PUBLIC NOTICE

Twenty Day Notice

File Number: NRS 14.340

Pursuant to Chapter 0400-4-7 of the Department's rules, the proposed activity described below has been submitted for approval under an Aquatic Resource Alteration Permit and §401 Water Quality Certification. This notice is intended to inform interested parties of this permit application and to ask for comments and information necessary to determine possible impacts to water quality. No decision has been made whether to issue or deny this application.

APPLICANT: Tennessee Department of Transportation
Environmental Permits Section
Suite 900, James K. Polk Bldg.
505 Deaderick St.
Nashville, TN 37243
615-253-2466

LOCATION: Project #36010-1215-14 (A) PIN #100322.04 - Widen SR 128 from South of Opel Road to SR 15 (US64) at Unnamed Tributary to Julius Pond Branch, Town Branch and an Unnamed Tributary to Town Branch. Hardin County (Lat: 35.2007/Lon: -88.2446).

PROJECT DESCRIPTION: The applicant proposes to Widen SR 128 from South of Opel Road to SR 15 (US64) at Unnamed Tributary to Julius Pond Branch, Town Branch and an Unnamed Tributary to Town Branch.

Modified Impact 3: Latitude: 35.2100
Unnamed trib. To Town Branch

Longitude: -88.2463
Station 945+66.71

Due to landowner earthen works the stream is no longer in the location it was prior to the application materials being prepared by the applicant. The original 83 ft. of culvert extension would now have to be extended by an additional 92 ft. with a loss of 6 feet of stream length. Additionally, 139 ft. of stream would be relocated in kind.
Debits: 98

MITIGATION REQUIRED

As mitigation for 98' of stream encapsulation the applicant proposes purchasing 98 credits from the Tennessee Stream Mitigation Program.

DEGRADATION: In accordance with the Tennessee Antidegradation Statement (Rule 0400-40-03-.06), the division has determined that the proposed activities will not result in degradation to water quality.

WATERSHED / WATERBODY DESCRIPTION: Town and Julius Pond Branch flow into Mud Branch (TN06040001001T_0999) which is part of the Tennessee River Basin (Pickwick Lake) Located in Middle Tennessee and Alabama, the Tennessee portion of the Pickwick Lake Watershed includes parts of Hardin, Lawrence and Wayne counties. It is approximately 639 square miles and empties to Kentucky Lake (Tennessee River) watershed. This watershed encompasses 9 counties and drains approximately 1,870 square miles. For more information on this watershed please visit <http://www.state.tn.us/environment/water/watersheds/lower-tennessee-river.shtml>

Stream name (TN06040001001T_0999) is in the Northern Hilly Gulf Coastal Plain ecoregion (65e). The channel dimensions are as follows: channel bottom width 15', channel top width 40', water depth 2', and bank height 20'. Typical substrate in this section is comprised of gravel and hardpan clay.

Stream name was assessed in 2014. It is supporting its designated uses. The specific uses that are not meeting use support and the causes are as follows: habitat. Therefore the stream is available/unavailable/an ETW and unavailable for additional impacts to habitat.

Stream Name / ID #: Misc. tributaries to Mud Branch (TN06040001001T_0999)

Ecoregion: Northern Hilly Gulf Coastal Plain ecoregion (65e)

Stream Dimension: Channel bottom width 15'
Chanel top width 40'
Water depth 2'
Bank height 20'

Substrate: gravel/hardpan clay

Designated Use	Use Support	Causes
Fish and aquatic life	fully supporting	
Recreation	fully supporting	
Industrial water supply	fully supporting	
Irrigation	fully supporting	
Livestock watering & wildlife	fully supporting	

This stream is available for additional impacts to habitat. You may remove this sentence if the stream does not require mitigation.

Assessment Date: January 20, 2015

PERMIT COORDINATOR: Brian Canada

FACTORS CONSIDERED: In deciding whether to issue or deny a permit, the department will consider all comments of record and the requirements of applicable federal and state laws. In making this decision, a determination will be made regarding the lost value of the resource compared to the value of any proposed mitigation. The department shall consider practicable alternatives to the alteration. The department shall also consider loss of waters or habitat, diminishment in biological diversity, cumulative or secondary impacts to the water resource, and adverse impact to unique, high quality, or impaired waters.

COMMENTING: Persons wishing to comment on the proposal are invited to submit written comments to the department. Written comments must be received within **twenty days of the date that this notice is posted**. Comments will become part of the record and will be considered in the final decision. The applicant's name and permit number should be referenced. Send all written comments to the department's address listed below and to the attention of the permit coordinator.

PUBLIC HEARING: Interested persons may request in writing that the department hold a public hearing on this application. The request must be filed within the comment period, indicate the interest of the person requesting it, the reasons that the hearing is warranted, and the water quality issues being raised. When there is sufficient public interest in water quality issues, the department will hold a public hearing. Send all public hearing request to the department's address listed below and to the attention of the permit coordinator.

APPEAL: A permit appeal may be filed, pursuant to T.C.A. §§ 69-3-105(i) and Rule 0400-40-05, by the permit applicant or by any aggrieved person who participated in the public comment period announced by this notice. This petition must be filed within THIRTY (30) DAYS after public notice of the issuance of the permit. The petition must specify what provisions are being appealed and the basis for the appeal. It should be addressed to the technical secretary of the Tennessee Board of Water Quality, Oil and Gas at the following address: Dr. Sandra Dudley, Director, Division of Water Resources, William R. Snodgrass Tennessee Tower, 312 Rosa L. Parks Ave, 12th floor, Nashville, TN 37243. Any hearing would be in accordance with T.C.A. §§69-3-110 and 4-5-301 et seq.

FILE REVIEW: The permit application, supporting documentation including detailed plans and maps, and related comments are available at the department's address (listed below) for review and/or copying.

Tennessee Department of Environment & Conservation
Division of Water Resources, Natural Resources Unit
William R. Snodgrass Tennessee Tower
312 Rosa L. Parks Avenue, 11th Floor
Nashville, Tennessee 37243





